

August 18, 2010

Received & Inspected

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FCC Mail Room

*E-rate Partners*

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Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

Re: Request for Waiver - Mount Holly Twp Public Schools

CC Docket No. 96-45 and Docket No. 02-6

To Whom It May Concern:

Mount Holly Twp Public Schools (PS) is requesting a waiver of the E-rate Form 486 Deadline for the following Funding Request Numbers.

Billed Entity Number: 123233

Form 471 Number: 649872

Form 486 Number: 742515

Funding Request Numbers: 1785145, 1785147, 1785149, 1785151, 1785157, 1785159

Please contact Jessica Nilsen with any questions regarding this request.

Jessica Nilsen

Tel: (315) 254-2022 Fax: (888) 372-8303

E-mail: [jessica.nilsen@eratepartners.com](mailto:jessica.nilsen@eratepartners.com)

Address: 5701 East Circle Drive #133, Cicero, New York 13039

Mount Holly Twp Public Schools (PS) received a Funding Commitment Decision Letter (FCDL) for Funding Year 2009 (July 1, 2009-June 30, 2010) from the Universal Service Administrative Company Schools and Libraries Division dated June 30, 2009. According to the Form 486 instructions, "the complete Form 486 – with Certification – MUST be received by USAC, submitted online or postmarked no later than 120 days after the Service Start Date featured on the Form 486 or no later than 120 days after the date of your FCDL, whichever is later, in order to receive discounts retroactively to the Service Start Date."<sup>1</sup> Based on the FCDL date and the Service Start Date, Mount Holly Twp PS should have filed and certified a Form 486 for the aforementioned FRNs by October 29, 2010.

The district had contracted an E-rate consultant to handle the application process. In the fall of 2009, the district chose to hire a new E-rate consultant. The change in consultants was done with the understanding that the original consultant would fulfill their responsibilities under the existing contract which included filing the Form 486 for Funding Year 2009. The new consultant would assume responsibility starting with the Funding Year 2010 E-rate application process.

Shortly after the change in E-rate consultants was made, the district Business Administrator and his secretary both left the district for positions with new districts. The original E-rate consultant continued to

<sup>1</sup> [http://www.universalservice.org/\\_res/documents/sl/pdf/486i.pdf](http://www.universalservice.org/_res/documents/sl/pdf/486i.pdf)

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Ms. Marlene H. Dortch  
Federal Communications Commission  
August 18, 2010

try to correspond with the Business Administrator regarding the Form 486 after his departure. They were unsuccessful in reaching him since he was no longer working for the district, and the Form 486 was not filed by October 29, 2009. Furthermore, the letter issued by the Schools & Libraries Division warning that the Form 486 was late was sent to the contact on the Funding Year 2009 application which was the original consultant. The new Business Administrator was not aware that the Form 486 had not been filed.

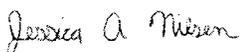
In the confusion of the transition of both district staff and E-rate consultants, the Form 486 deadline was missed. Upon review of the district's Funding Year 2009 reimbursement status, the new Business Administrator discovered the error. He took steps to remedy the situation, and a Form 486 was filed May 28, 2010. Mount Holly Twp PS received a Form 486 Notification Letter dated June 23, 2010 (attached) which adjusted the service start date to February 4, 2010 and reduced the awarded funding proportionately. At this time the district requests that the service start date be readjusted to July 1, 2009 and the funding commitment be restored to the original amount.

Several recent Federal Communications Commission decisions including *Alaska Gateway School District*<sup>2</sup> and *Alcona County Library*<sup>3</sup>, support the Mount Holly Twp PS's request for a waiver. Both decisions note that "staff mistakes or confusion, or circumstances beyond their control resulted in missing the FCC Form 486 deadline."<sup>4</sup> In the case of Mount Holly Twp PS, two simultaneous changes caused them to miss a procedural deadline. The district had complied with the requirements of the Form 486. They did have an approved Technology Plan covering July 1, 2009-June 30, 2010. They were also compliant with Children's Internet Protection Act requirements. Their mistake was a procedural error not a violation of a Commission rule.

The procedural error cost Mount Holly Twp PS a potential \$37,000.00 in E-rate funding. Mount Holly Twp PS is a district with three schools and approximately 1000 students. The district requests that the Commission consider the positive impact this funding could have within the district and waive the Form 486 deadline for this application.

We appreciate your consideration of this matter. Please contact us if you require any additional information.

Sincerely,



President

Enclosure

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<sup>2</sup> *Requests for Review and Waiver of the Decision of the Universal Service Administrator by Alaska Gateway School District Tok, AK, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-412028, et al., CC Docket 02-06, (rel. September 14, 2006)

<sup>3</sup> *Requests for Waiver of Decisions of the Universal Service Administrator by Alcona County Library Harrisville, Michigan, et al., Schools and Libraries Universal Service Support Mechanism*, File Nos. SLD-425479, et al., CC Docket No. 02-6, (rel. October 30, 2008)

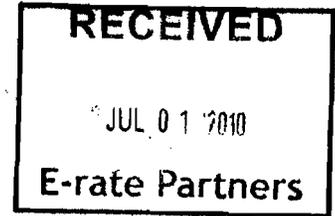
<sup>4</sup> *Alaska Gateway School District*, para..7  
*Alcona County Library*, para.. 6



**FORM 486 NOTIFICATION LETTER**  
(Funding Year 2009: 07/01/2009 - 06/30/2010)

June 23, 2010

Jessica A. Nilsen  
MOUNT HOLLY TWP PUBLIC SCHOOLS  
5701 East Circle Drive #133  
Cicero, NY 13039



**Re: Form 486 Application Number: 742515**  
**Applicant's Form 486 Identifier: 09MtHolly2**

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose SPIN you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

**NEXT STEPS**

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Invoice USAC before the invoice deadline using the applicant invoice (BEAR Form - FCC Form 472) for reimbursements after paying the bills in full or the service provider invoice (SPI Form - FCC Form 474) for discounts. Whichever method you choose, you must pay your non-discount portion, as stated in Program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

**TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION**

If you wish to appeal the Service Start Date change(s) and/or funding commitment adjustment(s) indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.

2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - appellant name,
  - applicant or service provider name, if different than appellant,
  - applicant BEN and service provider SPIN,
  - Form 486 Number 742515 and ERN(s) as assigned by USAC,
  - "Form 486 Notification Letter for Funding Year 2009", AND
  - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the USAC s decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by the USAC s decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email; email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 South Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

A guide to the data reported in our letter reports is posted in the Reference Area of our website. Complete Program information, including invoice deadlines is also posted on our website. You may also contact our Client Service Bureau by email using the "Submit a Question" link on our website, toll-free by fax at 1-888-276-8736, or toll-free by phone at 1-888-203-8100.

Schools and Libraries Division  
Universal Service Administrative Company

FORM 486 NOTIFICATION LETTER REPORT  
(Funding Year 2009)

Funding Request Number: 1785145  
Form 471 Application Number: 649872  
Service Provider Name: Verizon New Jersey Inc  
Service Provider Identification Number: 143001362  
Billing Account Number: 201 Z02 8600  
Service Start Date: 02/04/2010\*  
Service Start Date Change Explanation: 120-DAY 486 DEADLINE  
Adjusted Funding Commitment: \$9,900.44

Funding Request Number: 1785147  
Form 471 Application Number: 649872  
Service Provider Name: Verizon New Jersey Inc  
Service Provider Identification Number: 143001362  
Billing Account Number: 609-267-0021  
Service Start Date: 02/04/2010\*  
Service Start Date Change Explanation: 120-DAY 486 DEADLINE  
Adjusted Funding Commitment: \$10,230.09

Funding Request Number: 1785149  
Form 471 Application Number: 649872  
Service Provider Name: Metro Connect Inc  
Service Provider Identification Number: 143006152  
Billing Account Number: Inv 15233  
Service Start Date: 02/04/2010\*  
Service Start Date Change Explanation: 120-DAY 486 DEADLINE  
Adjusted Funding Commitment: \$1,787.50

Funding Request Number: 1785151  
Form 471 Application Number: 649872  
Service Provider Name: Verizon Wireless  
Service Provider Identification Number: 143000677  
Billing Account Number: 221186709-00001  
Service Start Date: 02/04/2010\*  
Service Start Date Change Explanation: 120-DAY 486 DEADLINE  
Adjusted Funding Commitment: \$1,349.07

Funding Request Number: 1785157  
Form 471 Application Number: 649872  
Service Provider Name: T-Mobile USA, Inc.  
Service Provider Identification Number: 143026181  
Billing Account Number: 322391208  
Service Start Date: 02/04/2010\*  
Service Start Date Change Explanation: 120-DAY 486 DEADLINE  
Adjusted Funding Commitment: \$1,994.56

FORM 486 NOTIFICATION LETTER REPORT  
(Funding Year 2009)

Funding Request Number: 1785159  
Form 471 Application Number: 649872  
Service Provider Name: PAETEC Communications, Inc.  
Service Provider Identification Number: 143016242  
Billing Account Number: 2262058  
Service Start Date: 02/04/2010\*  
Service Start Date Change Explanation: 120-DAY 486 DEADLINE  
Adjusted Funding Commitment: \$1,249.86